

REMARKS/ARGUMENT

The specification is objected to as containing informalities. The specification is amended in light of the remarks in the Office Action. Reconsideration of the objection to the specification is respectfully requested.

Claims 1-22 are rejected under 35 USC §103 as being unpatentable over U.S. Patent No. 6,014,627 to Togher et al. (“Togher”) in view of U.S. Patent No. 5,258,908 to Hartheimer et al. (“Hartheimer”). Reconsideration of the application in light of the remarks is respectfully requested.

Independent claims 1, 7, 13, 19, 20 all recite a plurality of broker nodes. Each of these broker nodes is defined as both including a function for deriving a market view and a function for matching compatible orders. The Office Action, on page 10 admits that the Togher reference does not show a broker node and points to the Hartheimer reference, specifically column 9, lines 22-25 or Hartheimer, as showing the claimed broker nodes. However this portion of the Hartheimer reference merely states:

“Thus, the traders may not be banks, or the banks described above can deal through third parties, such as brokers. Here, the principals will use trading terminals at “broker nodes” rather than bank nodes”.

There is no discussion in the Hartheimer reference as to the functioning of these broker nodes and clearly no indication that these broker nodes perform both deriving a market view and matching compatible orders as claimed in all of the pending independent claims. The broker nodes disclosed in Hartheimer appear to comprise look up tables containing information about currency pairs to be traded and which are used to match traders and banks who operate in those currency pairs.

Therefore, even a combination of the cited prior art does not produce the recitations claimed in independent claims 1, 7, 13, 19 and 20. Dependent claims 2-6, 8-

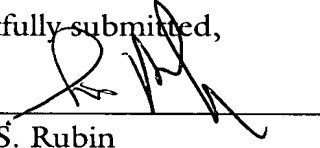
11, 12, 14-18, 21 and 22 include the above referenced limitations of independent claims 1, 7, 13, and 20 respectively. It is asserted that these claims are patentable as well.

In addition, in order to establish a prima facie case of obviousness, the Office Action must set forth a motivation in the cited art for combining the cited references. See MPEP § 706.02(j). The Office Action merely states "it would have been obvious" to combine the cited art but does not set forth any motivation for making this combination. Absent, such a motivation, a prima facie case of obviousness cannot be made.

Therefore, it is asserted that claims 1-22 are patentable over even a combination of the art of record. Reconsideration of the rejection of claims 1-22 under 35 USC §103 is respectfully requested in light of the remarks above.

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Respectfully submitted,

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